

Exhibit A

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JENNIFER GUILMETTE, on behalf of herself and all others similar situated,

Plaintiff,

- against -

BLISS RESTAURANT BAR & CATERING INC., and
RONALD HOFFMAN, an individual,

Defendants.

Case No.: 25 Civ. 2395 (RER)(SIL)

SUMMARY OF CONDITIONAL CERTIFICATION NOTICE PLAN

As part of Plaintiff's motion for conditional certification of a collective action and authorization of notice pursuant to the Fair Labor Standards Act, Plaintiff submits the proposed notice plan and the attached notices.

| <u>Description</u> | <u>Detailed Description</u> |
|--|--|
| Scope of Distribution | |
| Collective Definition | All individuals who worked for Defendants in the State of New York as a Tipped Worker at any time since March 1, 2022. |
| Notice Period | Dating back three years from when the Complaint was filed through the present. |
| Opt-In Period | 60 days |
| Production of Contact Information | |
| Names | |

| | |
|---|---|
| Last Known Mailing Addresses | |
| Last Known Telephone Numbers | |
| Last Known Personal Email Addresses | |
| Work Locations | |
| Dates of Employment at Each Location | |
| Notice: Methods of Distribution | |
| U.S. Mail | The Notice and Consent Forms will be sent via First Class U.S. Mail to putative Collective member's last known mailing address. |
| Email | The Notice and Consent Forms will be sent via email to putative Collective member's last known personal email address. |
| Reminder Notice | Short-form notices will be issued to those putative collective members who have not returned consent forms halfway through the Opt-In Period. |
| Posting | Defendants will post the Notice and Consent Forms at a conspicuous location. |
| Notice: Content of Proposed Notice Forms | |
| Notice Form | Pages 1 through 4 of Exhibit 1. |
| Consent Form | Page 5 of Exhibit 1. |
| Email Form | Attached as Exhibit 2. |
| Reminder Notice | Attached as Exhibit 3. |

Exhibit 1

UNITED STATES DISTRICT COURT

JENNIFER GUILMETTE, on behalf of herself and all

Plaintiffs,

- against -

BLISS RESTAURANT BAR & CATERING INC., and

Defendants.

COURT-AUTHORIZED NOTICE OF LAWSUIT

If you worked for Bliss Restaurant Bar & Catering as a Tipped Worker at any time since

March 1, 2022, a collective action lawsuit may affect your legal rights:

You are NOT being sued. This Notice is NOT a solicitation from a lawyer. The Court authorized this Notice.

Plaintiff is a former Tipped Worker employed by Bliss Restaurant Bar & Catering Inc. (“Bliss”). Plaintiff brought this lawsuit against Bliss on behalf of themselves and all other potential, current, and former Tipped Workers employed by Bliss after March 1, 2022. Plaintiff claims that Bliss did not pay its Tipped Workers overtime wages due to them. Bliss denies any wrongdoing and maintains that Tipped Workers have been paid in compliance with all applicable overtime laws.

This notice and its contents have been authorized by the United States District Court, Eastern District of New York. The Court has taken no position in this case regarding the merits of the parties' claims and defenses.

| YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT | |
|---|---|
| <p>ASK TO BE INCLUDED</p> | <p>If you choose to be included in this collective action, you will be bound by any ruling, settlement, or judgment in this case. You may also share in any proceeds from a settlement or judgment if those bringing the claims are successful. If you choose to be included, you will give up any right to separately sue Bliss about the same legal claims in this lawsuit.</p> <p>If you want to be included, you must complete and return the “Consent to Join” form included with this Notice by no later than <u>60 days from mailing</u>.</p> |
| <p>DO NOTHING</p> | <p>By doing nothing, you will not be included in this lawsuit for the purpose of asserting an overtime claim under federal law. This means that you give up the possibility of getting money or benefits that may come from a trial or settlement of the overtime wage claim under federal law asserted in this lawsuit, if those bringing the lawsuit are successful.</p> |

This notice contains information that affects your rights. Please read it carefully.

1. Why did I get this notice?

You are getting this notice because Bliss' records show that you were employed as a Tipped Worker between March 1, 2022, and the present. Plaintiff sued Bliss claiming it violated the federal minimum wage law and certain provisions of the wage-and-hour law of New York State.

2. What is a collective action and who is involved?

In a collective action lawsuit, one or more persons can bring a lawsuit on behalf of others who have similar claims. The individual who brought this lawsuit, Jennifer Guilmette, is called a Plaintiff. The corporation that they have sued, Bliss, and its owner, is the Defendant. One court resolves the issues for everyone who decides to join the case.

3. What is this collective action lawsuit about?

This collective action lawsuit is about whether Bliss' compensation practices violate the overtime laws. The lawsuit alleges that Bliss violated the federal and state wage law by not paying Plaintiff and other Tipped Workers overtime wages at the proper rate. Plaintiff is seeking to recover unpaid wages, in addition to liquidated damages, attorneys' fees, and costs.

Bliss denies any wrongdoing or liability. Bliss maintains that all Tipped Workers were paid for all overtime hours worked at the proper rate and were otherwise paid in compliance with all applicable overtime laws.

4. How do I join this collective action lawsuit?

To participate in this lawsuit through the Plaintiff's attorney, you must fill out the enclosed form called "Consent to Join" and mail it in the enclosed, postage-paid envelope to Plaintiff's lawyers. Should the enclosed envelope be lost or misplaced, the "Consent to Join" Form must be sent to:

Kessler Matura P.C.
534 Broadhollow Road, Ste. 275
Melville, New York 11747

You can also fax the signed form to 631-499-9120 or scan and email it to gkaske@kesslermatura.com.

The signed "Consent to Join" form must be postmarked, faxed, or e-mailed by **[60 days from mailing of notice]**. If your signed "Consent to Join" form is not postmarked, faxed, or e-mailed by **[60 days from mailing of notice]**, you may not be allowed to participate in the federal law portion of this lawsuit.

You have a right to be represented by your own attorney, but you will be responsible for making arrangements for payment of the fees of the attorney you select. The attorney you hire must file with the court a "Consent to Join" form by **[60 days from mailing of notice]** and must enter a formal appearance as attorney on your behalf.

5. What happens if I join this lawsuit?

You will be bound by any ruling, settlement, or judgment, whether favorable or unfavorable. If there is a favorable resolution, either by settlement or judgment, and you qualify under the law, you will be entitled to some portion of the recovery.

If you join this lawsuit and send your "Consent to Join" form to Kessler Matura P.C., you agree to have the Plaintiff and their counsel act as your representative and make decisions on your behalf concerning the case,

including approving any settlement. Decisions made and agreements entered into by the Plaintiff and their counsel will be binding on you if you join this lawsuit, subject only to the Court's discretion. If you hire your own attorney, you will be bound by decisions and agreements that your attorney makes on behalf of this lawsuit.

If you join this lawsuit, you may be asked to give testimony and information about your work for Defendant to help the Court decide whether you are owed any money. Plaintiff's counsel will assist you with this process. For this reason, if you join this lawsuit, you should preserve all documents relating to your employment currently in your possession.

6. What happens if I do nothing at all?

You will not be included in this lawsuit for the purpose of asserting an overtime wage claim under federal law. Therefore, you will not be entitled to any recovery in this case should there be any for those claims. The limitations period on your claims will continue to run.

7. If I join, will there be any impact on my employment?

No. The law prohibits Bliss from discharging or retaliating against you because you join this case or have in any other way exercised your rights under the law.

8. If I join this case, do I have a lawyer?

Plaintiff is represented by Kessler Matura P.C., whose contact information is as follows:

Troy L. Kessler | Garrett Kaske | Tana Forrester
Kessler Matura P.C.
534 Broadhollow Rd., Ste 275
Melville, NY 11747
Phone: (631) 499-9100
tkessler@kesslermatura.com | gkaske@kesslermatura.com | tforrester@kesslermatura.com
www.kesslermatura.com

If you join by sending your opt-in to the Plaintiffs' attorneys, Kessler Matura P.C. will represent you on a contingency fee basis, meaning you will not owe any attorneys' fees unless you are successful and win the case, or obtain a settlement.

9. Does Bliss have a lawyer in this case?

Bliss is represented by James F. Murphy of Lewis Johs Avallone Avile, LLP, 1377 Motor Parkway, Suite 400, Islandia, New York 11749, (631) 755-0101.

DATED: , 2025

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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| ----- | X |
| JENNIFER GUILMETTE, on behalf of herself and all | : |
| others similar situated, | : |
| | : |
| | : Case No.: 25 Civ. 2395 () |
| Plaintiff, | : |
| - against - | : |
| | : |
| BLISS RESTAURANT BAR & CATERING INC., and | : |
| RONALD HOFFMAN, an individual, | : |
| | : |
| Defendants. | : |
| ----- | X |

CONSENT TO JOIN

If you received this form and want to join this lawsuit, please complete these **two steps**:

1. Complete and sign this consent to join lawsuit form; and
2. Use the enclosed envelope to return this form to the address below not later than **[60 days from mailing of notice]**.

Kessler Matura P.C.
534 Broadhollow Rd., Ste 275
Melville, NY 11747

You can also scan and email it to gkaske@kesslermatura.com.

I consent to join the collective action and authorize Kessler Matura P.C. to act on my behalf in all matters relating to this action, including any settlement of my claims.

Print Name

Signature

The following information will not be filed with the Court:

Address

City, State and Zip Code

Email Address

Telephone Number

Employment Start Date

Employment End Date

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

| | |
|--|-----------------------------|
| ----- | X |
| JENNIFER GUILMETTE, on behalf of herself and all | : |
| others similar situated, | : |
| | : Case No.: 25 Civ. 2395 () |
| Plaintiff, | : |
| - against - | : |
| | : |
| BLISS RESTAURANT BAR & CATERING INC. and | : |
| RONALD HOFFMAN, an individual., | : |
| | : |
| Defendants. | : |
| ----- | X |

PROPOSED EMAIL NOTICE

Court Authorized Message:

If you worked for Bliss Restaurant Bar & Catering as a Tipped Worker at any time since March 1, 2022, a collective action lawsuit may affect your legal rights.

*Important: You are NOT being sued. This Notice is NOT a solicitation from a lawyer.
The Court authorized this Notice.*

Plaintiff is former Tipped Worker employed by Bliss Restaurant Bar & Catering Inc., (“Bliss”). Plaintiff brought this lawsuit against Bliss on behalf of themselves and all other potential, current, and former Tipped Workers employed by Bliss after March 1, 2022. Plaintiff claims that Bliss did not pay its Tipped Workers minimum wages due to them. Bliss denies any wrongdoing and maintains that Tipped Workers have been paid in compliance with all applicable wage laws.

This notice and its contents have been authorized by the United States District Court, Eastern District of New York. The Court has taken no position in this case regarding the merits of the parties’ claims and defenses.

Please review the attached notice carefully.

Exhibit 2

Exhibit 3

IMPORTANT REMINDER REGARDING

BLISS RESTAURANT BAR & CATERING – UNPAID OVERTIME CASE

Within the past month, you should have received a Court-authorized Notice explaining that you may be eligible to participate in a collective action lawsuit against a Bliss Restaurant Bar & Catering Inc. on behalf of current and former Tipped Workers. If you have any questions about the Notice, if you did not receive it, or no longer have it, you can contact Plaintiff's counsel at 631-499-9100 or gkaske@kesslermatura.com.

IMPORTANT: Our records indicate that you have not submitted a Consent to Join Form. If you want to participate in the collective action lawsuit, you must complete a Consent to Join Form and return it by mail or email to:

Kessler Matura P.C.
534 Broadhollow Rd., Ste 275
Melville, NY 11747
gkaske@kesslermatura.com

To participate in this lawsuit, your Consent to Join Form must be postmarked, faxed, or emailed no later than [60 days from mailing of Notice].

Kessler Matura P.C.
534 Broadhollow Road, Ste. 275
Melville, New York 11747

[postage]

[first name] [last name]
[address] [address2]
[city], [state] [zip]